Daily Digest

Senate

Chamber Action

Routine Proceedings, pages \$14923-\$14971

Measures Introduced: Eight bills were introduced, as follows: S. 1868–1875. Pages \$14964–65

Measures Reported:

S. 720, to amend title IX of the Public Health Service Act to provide for the improvement of patient safety and to reduce the incidence of events that adversely effect patient safety, with an amendment in the nature of a substitute. (S. Rept. No. 108–196)

S. 1136, to restate, clarify, and revise the Soldiers' and Sailors' Civil Relief Act of 1940, with an amendment in the nature of a substitute. (S. Rept. No. 108–197)

S. 793, to provide for increased energy savings and environmental benefits through the increased use of recovered mineral component in federally funded projects involving procurement of cement or concrete, with an amendment in the nature of a substitute. (S. Rept. No. 108–198)

S. Res. 253, to recognize the evolution and importance of motorsports. Page S14964

Measures Passed:

Private Security Officer Employment Authorization Act: Senate passed S. 1743, to permit reviews of criminal records of applicants for private security officer employment.

Pages S14969–70

VA-HUD Appropriations Act: Senate resumed consideration of H.R. 2861, making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2004, taking action on the following amendments proposed thereto:

Pages \$14932-40

Adopted:

Bond (for Reid/Graham (FL)) Amendment No. 2194 (to Amendment No. 2150), to express the sense of Congress on damages caused by the regime of Saddam Hussein during the First Gulf War.

Pages S14932-34

Durbin Amendment No. 2195 (to Amendment No. 2150), to provide that none of the funds provided in this Act may be expended to apply, in a numerical estimate of the benefits of an agency action prepared pursuant to Executive Order 12866 or section 812 of the Clean Air Act, monetary values for adult premature mortality that differ based on the age of the adult.

Pages \$14934-36

Bond (for Daschle) Amendment No. 2196 (to Amendment No. 2150), to provide for epidemiological studies on Vietnam veterans exposed to Agent Orange and other herbicides used in Vietnam.

Pages S14937-38

Bond (for Feingold) Amendment No. 2197 (to Amendment No. 2150), to prohibit the use of funds by the Department of Veterans Affairs to implement policies that prohibit the Veterans Integrated Service Networks from conducting outreach or marketing to enroll new veterans in such Networks. Page S14938

Bond (for Cantwell) Amendment No. 2198 (to Amendment No. 2150), to require a study of the Moving to Work demonstration program.

Pages S14938-39

Withdrawn:

Clinton Amendment No. 2152 (to Amendment No. 2150), to permit the use of funds for the Capital Asset Realignment for Enhanced Services (CARES) initiative of the Department of Veterans Affairs for purposes of enhanced services while limiting the use of funds for the initiative for purposes of the closure or reduction of services pending a modification of the initiative to take into account long-term care, domiciliary care, and mental health services and other matters.

Page S14937

Pending:

Bond/Mikulski Amendment No. 2150, in the nature of a substitute. Page \$14932

Dayton Amendment No. 2193 (to Amendment No. 2150), to fully fund the Paul and Sheila Wellstone Center for Community Building.

Pages S14936-37

A unanimous-consent agreement was reached providing for further consideration of the bill and certain amendments on Tuesday, November 18, 2003.

Page S14971

Federal Aviation Administration Authorization—Conference Report: Senate resumed consideration of the conference report on H.R. 2115, to amend title 49, United States Code, to reauthorize programs for the Federal Aviation Administration.

Pages S14940-52

During consideration of this measure, Senate also took the following actions:

By 45 yeas to 43 nays (Vote No. 453), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to close further debate on the conference report.

Page S14951

Senator Frist entered a motion to reconsider the vote by which the motion to invoke cloture on the conference report failed.

Pages S14951-52

Agriculture Appropriations—Additional Conferees: A unanimous-consent agreement was reached to expand the number of conferees to H.R. 2675, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2004, to include the following members on the part of the Senate: Senators Domenici, Shelby, Gregg, Campbell, Hutchison, DeWine, Inouye, Hollings, Leahy, Mikulski, Reid, and Murray.

Page S14971

Removal of Injunction of Secrecy: The injunction of secrecy was removed from the following treaty:

Cybercrime Convention (Treaty Doc. No. 108–11).

The treaty was transmitted to the Senate today, considered as having been read for the first time, and referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed.

Page S14969

Appointment:

Congressional Award Board: The Chair, on behalf of the Majority Leader, pursuant to Public Law 96–114, as amended, announced the appointment of John M. Falk, of Washington, D.C., to be Chairman of the Congressional Award Board.

Page S14969

Nominations Received: Senate received the following nominations:

Francis Mulvey, of Maryland, to be a Member of the Surface Transportation Board for a term expiring December 31, 2007.

W. Douglas Buttrey, of Tennessee, to be a Member of the Surface Transportation Board for a term expiring December 31, 2008.

James C. Oberwetter, of Texas, to be Ambassador to the Kingdom of Saudi Arabia.

Glyn T. Davies, of the District of Columbia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, for the rank of Ambassador during his tenure of service as the Political Director for the United States Presidency of the G–8.

Gay Hart Gaines, of Florida, to be a Member of the Board of Directors of the Corporation for Public Broadcasting for a term expiring January 31, 2010.

Routine lists in the Air Force, Army. Page S14971

Measures Read First Time: Page \$14964
Executive Communications: Page \$14964
Executive Reports of Committees: Page \$14964

Additional Cosponsors: Page \$14965

Statements on Introduced Bills/Resolutions:

Pages S14965-67

Additional Statements: Pages \$14961-64

Amendments Submitted: Pages \$14967-69

Authority for Committees to Meet: Page S14969

Privilege of the Floor: Page \$14969

Record Votes: One record vote was taken today. (Total—453)

Page \$14951

Adjournment: Senate met at 12 noon and adjourned at 7:41 p.m. until 9:30 a.m. on Tuesday, November 18, 2003. (For Senate's Program, see the remarks of the Acting Majority Leader in today's Record on page \$14971).

Committee Meetings

(Committees not listed did not meet)

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the following business items:

S. Res. 253, to recognize the evolution and importance of motorsports; and

The nominations of Michael J. Garcia, of New York, to be an Assistant Secretary of Homeland Security, and James B. Comey, of New York, to be Deputy Attorney General, and Federico Lawrence Rocha, of California, to be United States Marshal for the Northern District of California, both of the Department of Justice.

House of Representatives

Chamber Action

Measures Introduced: 16 public bills, H.R. 3490–3505, and 2 resolutions, H. Res. 441–442, were introduced. Pages H11358–59

Additional Cosponsors:

Pages H11359-60

Reports Filed: Reports were filed as follows today: H.R. 154, to exclude certain properties from the John H. Chafee Coastal Barrier Resources System, amended, (H. Rept. 108–359);

H.R. 521, to establish the Steel Industry National Historic Site in the Commonwealth of Pennsylvania, amended, (H. Rept. 108–360);

H.R. 1594, to direct the Secretary of the Interior to conduct a study of the suitability and feasibility of establishing the St. Croix National Heritage Area in St. Croix, United States Virgin Islands, amended, (H. Rept. 108–361);

H.R. 1618, to establish the Arabia Mountain National Heritage Area in the State of Georgia, amended, (H. Rept. 108–362);

H.R. 1648, to authorize the Secretary of the Interior to convey certain water distribution systems of the Cachuma Project, California, to the Carpinteria Valley Water District and the Montecito Water District (H. Rept. 108–363);

H.R. 1732, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Williamson County, Texas, Water Recycling and Reuse Project, (H. Rept. 108–364);

H.R. 1798, to establish the Upper Housatonic Valley National Heritage Area in the State of Connecticut and the Commonwealth of Massachusetts, amended, (H. Rept. 108–365);

H.R. 1862, to establish the Oil Region National Heritage Area, amended, (H. Rept.108–366);

H.R. 2425, to provide for the use and distribution of the funds awarded to the Quinault Indian Nation under United States Claims Court Dockets 772–71, 773–71, 774–71, and 775–71, amended, (H. Rept. 108–367);

H.R. 2489, to provide for the distribution of judgment funds to the Cowlitz Indian Tribe, amended, (H. Rept. 108–368);

S. 625, to authorize the Bureau of Reclamation to conduct certain feasibility studies in the Tualatin River Basin in Oregon (H. Rept. 108–369);

H.R. 280, to establish the National Aviation Heritage Area, amended, (H. Rept. 108–370);

H.R. 421, to reauthorize the United States Institute for Environmental Conflict Resolution (H. Rept. 108–371, Pt. 1);

S. 1233, to authorize assistance for the National Great Blacks in Wax Museum and Justice Learning Center (H. Rept. 108–372, Pt. 1); and

H.R. 1964, to establish the Highlands Stewardship Area in the States of Connecticut, New Jersey, New York, and Pennsylvania, amended, (H. Rept. 108–373, Pt. 1);

S. 523, to make technical corrections to law relating to Native Americans (H. Rept. 108–374, Pt. 1).

Conference report on H.R. 6, to enhance energy conservation and research and development, to provide for security and diversity in the energy supply for the American people (H. Rept. 108–375);

H. Res. 443, waiving points of order against the conference report to accompany the bill (H.R. 6) to enhance energy conservation and research and development, to provide for security and diversity in the energy supply for the American people (H. Rept. 108–376); and

H. Res. 444, waiving points of order against the conference report to accompany the bill (H.R. 2754) making appropriations for energy and water development for the fiscal year ending September 30, 2004 (H. Rept. 108–377).

Pages H11205, H11358

Speaker: Read a letter from the Speaker wherein he appointed Representative Pence to act as Speaker Pro Tempore for today.

Page H11161

Recess: The House recessed at 12:44 p.m. and reconvened at 2 p.m. Page H11163

Suspensions: The House agreed to suspend the rules and pass the following measures:

Recognizing the Agricultural Research Service of the Department of Agriculture: S.J. Res. 22, recognizing the Agricultural Research Service of the Department of Agriculture for 50 years of outstanding service to the Nation through agricultural research by a 2/3 yea-and-nay vote of 332 yeas with none voting "nay", Roll No. 620—clearing the measure for the President;

Pages H11163-64, H11183-84

Authorizing the Secretary of Agriculture to conduct a loan repayment program: H.R. 1367, amended, to authorize the Secretary of Agriculture to conduct a loan repayment program regarding the provision of veterinary services in shortage situations;

Pages H11164-67

Apalachicola National Forest Land Conveyance Act: H.R. 3217, to provide for the conveyance of several small parcels of National Forest System land

in the Apalachicola National Forest, Florida, to resolve boundary discrepancies involving the Mt. Trial Primitive Baptist Church of Wakulla County, Florida;

Pages H11166-67

Providing for the designation of a Department of Agriculture disaster liasion: H.R. 3157, amended, to provide for the designation of a Department of Agriculture disaster liaison to assist State and local employees of the Department in coordination with other disaster agencies in response to a federally declared disaster area as a result of a disaster;

Pages H11167-69

Resolving boundary conflicts around Mark Twain National Forest in Missouri: H.R. 2304, amended, to resolve boundary conflicts in the vicinity of the Mark Twain National Forest in Barry and Stone Counties, Missouri, that resulted from private landowner reliance on a subsequent Federal survey;

Pages H11169-70

George Henry White Post Office Building Designation Act: H.R. 3353, to designate the facility of the United States Postal Service located at 525 Main Street in Tarboro, North Carolina, as the George Henry White Post Office Building; Pages H11170–71

James E. Davis Post Office Building Designation Act: S. 1590, to redesignate the facility of the United States Postal Service, located at 315 Empire Boulevard in Crown Heights, Brooklyn, New York, as the James E. Davis Post Office Building—clearing the measure for the President; Pages H11171–72

Hugh Gregg Post Office Building Designation Act: H.R. 3185, to designate the facility of the United States Postal Service located at 38 Spring Street in Nashua, New Hampshire, as the Hugh Gregg Post Office Building;

Pages H11172-74

Commending the Inspectors General for their service to the Federal Government: S.J. Res. 18, commending the Inspectors General for their efforts to prevent and detect waste, fraud, abuse, and mismanagement, and to promote economy, efficiency, and effectiveness in the Federal Government during the past 25 years by a 2/3 yea-and-nay vote of 326 yeas to 3 nays, Roll No. 621 clearing the measure for the President;

Pages H11174, H11184

Honoring Mr. Sargent Shriver: H. Con. Res. 299, honoring Mr. Sargent Shriver for his dedication and service to the United States of America, for his service in the United States Navy, and for his lifetime of work as an ambassador for the poor and powerless citizens of the United States of America by a 2/3 yea-and-nay vote of 325 yeas to 3 nays, Roll No. 622;

Pages H11174-77, H11185

John F. Kennedy Center Reauthorization Act of 2003: H.R. 3198, to amend the John F. Kennedy Center Act to authorize appropriations for the John F. Kennedy Center for the Performing Arts;

Pages H11177-79

Amending the Reclamation Project Authorization Act of 1972: H.R. 3209, to amend the Reclamation Project Authorization Act of 1972 to clarify the acreage for which the North Loup division is authorized to provide irrigation water under the Missouri River Basin project; Page H11180

Williamson County Water Recycling Act of 2003: H.R. 1732, amended, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Williamson County, Texas, Water Recycling and Reuse Project; Pages H11180-81

Correcting a technical error from Unit T-07 of the John H. Chafee Coastal Barrier Resources System: S. 1066, to correct a technical error from Unit T-07 of the John H. Chafee Coastal Barrier Resources System—clearing the measure for the President;

Pages H11181-82

Carpinteria and Montecito Water Distribution Systems Conveyance Act of 2003: H.R. 1648, to authorize the Secretary of the Interior to convey certain water distribution systems of the Cachuma Project, California, to the Carpinteria Valley Water District and the Montecito Water District; Pages H11182-83

Congratulating John Gagliardi, football coach of St. John's University: H. Res. 438, congratulating John Gagliardi, football coach of St. John's University, on the occasion of his becoming the all-time winningest coach in collegiate football history.

Pages H11187-88

Honoring the Rice University Owls Baseball team: H. Res. 379, honoring the Rice University Owls baseball team for winning the NCAA baseball champions; and Pages H11188–90

Suspensions Postponed: The following measures were debated under suspension of the rules. Further proceedings were postponed until Tuesday, November 18.

Walter F. Ehrnfelt, Jr. Post Office Building Designation Act: H.R. 3300, to designate the facility of the United States Postal Service located at 15500 Pearl Road in Strongsville, Ohio, as the Walter F. Ehrnfelt, Jr. Post Office Building; and

Page H11177

Directing the Administrator of General Services to convey to Fresno County, California, the existing Federal courthouse in that county: H.R. 1274, amended, to direct the Administrator of General

Services to convey to Fresno County, California, the existing Federal courthouse in that county.

Pages H11179-80

Recess: The House recessed at 2:34 p.m. and reconvened at 2:48 p.m. Page H11170

Recess: The House recessed at 4:04 p.m. and reconvened at 7 p.m. Page H11183

Meeting Hour: Agreed that when the House adjourn today, it adjourn to meet at 10 a.m. on Tuesday, November 18 for morning hour debate, by a recorded vote of 296 ayes to 25 noes, Roll No. 623.

Page H11186

Medicare Prescription Drug and Modernization Act of 2003—Motion to Instruct Conferees: Representative Berkley announced her intention to offer a motion to instruct conferees on H.R. 1, to amend title XVIII of the Social Security Act to provide for a voluntary prescription drug benefit under the medicare program and to strengthen and improve the medicare program.

Page H11186

Labor/HHS Appropriations—Motion to Instruct Conferees: Representative Kennedy of Rhode Island announced his intention to offer a motion to instruct conferees on H.R. 2660, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004. Pages H11186–87

Energy Policy Act of 2003: Agreed that the managers on the part of the House have until 6 a.m. on Tuesday, November 18 to file a conference report on H.R. 6, to enhance energy conservation and research and development, to provide for security and diversity in the energy supply for the American people.

Page H11190

Recess: The House recessed at 10:35 p.m. and reconvened at 8:50 a.m. on Tuesday, November 18.

Page H11207

Senate Message: Messages received from the Senate today appear on page H11161.

Senate Referrals: S. 1824 was ordered held at the desk.

Page H11161

Adjournment: The House met at 12:30 p.m. and adjourned at 8:51 a.m. on Tuesday, November 18.

Committee Meetings

CONFERENCE REPORT—ENERGY AND WATER DEVELOPMENT APPROPRIATIONS

Committee on Rules: Granted, by voice vote, a rule waiving all points of order against the conference report to accompany H.R. 2754, making appropriations for energy and water development for the fiscal year ending September 30, 2004, and against its consideration.

CONFERENCE REPORT—ENERGY POLICY ACT OF 2003

Committee on Rules: Granted, by voice vote, a rule waiving all points of order against the conference re-

port to accompany H.R. 6, Energy Policy Act of 2003, and against its consideration. The rule provides that the conference report shall be considered as read. Testimony was heard from Chairman Tauzin and Representative Barton of Texas.

COMMITTEE MEETINGS FOR TUESDAY, NOVEMBER 18, 2003

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Armed Services: Subcommittee on Strategic Forces, to hold hearings to examine space acquisition policies and processes, 2 p.m., SR-232A.

Full Committee, to hold hearings to examine the nomination of Michael W. Wynne, of Florida, to be Under Secretary of Defense for Acquisition, Technology, and Logistics, 4 p.m., SR–222.

Committee on Banking, Housing, and Urban Affairs: to hold hearings to examine current investigations and regulatory actions regarding the mutual fund industry, 10 a.m., SD-538.

Committee on Commerce, Science, and Transportation: business meeting to consider pending nominations, time to be announced, S–216, Capitol.

Committee on Energy and Natural Resources: Subcommittee on Public Lands and Forests, to hold hearings to examine S. 1209, to provide for the acquisition of property in Washington County, Utah, for implementation of a desert tortoise habitat conservation plan, H.R. 708, to require the conveyance of certain National Forest System lands in Mendocino National Forest, California, to provide for the use of the proceeds from such conveyance for National Forest purposes, S. 1467, to establish the Rio Grande Outstanding Natural Area in the State of Colorado, S. 1167, to resolve the boundary conflicts in Barry and Stone Counties in the State of Missouri, and S. 1848, to amend the Bend Pine Nursery Land Conveyance Act to direct the Secretary of Agriculture to sell the Bend Pine Nursery Administration Site in the State of Oregon, 2:30 p.m., SD–366.

Committee on Finance: to hold hearings to examine the nomination of Steven J. Simmons, of Connecticut, to be a Member of the Broadcasting Board of Governors, 10 a.m., SD-215.

Full Committee, to hold hearings to examine the nomination of Arnold I. Havens, of Virginia, to be General Counsel for the Department of the Treasury, 10 a.m., SD–215.

Committee on Governmental Affairs: Permanent Subcommittee on Investigations, to hold hearings to examine the role of professional organizations like accounting firms, law firms, and financial institutions in developing, marketing and implementing tax shelters, 9 a.m., SH–216.

Full Committee, to hold hearings to examine the nomination of James M. Loy, of Virginia, to be Deputy Secretary of Homeland Security, 2:30 p.m., SD–342.

Committee on the Judiciary: to hold hearings to examine America after the 9/11 terrorist attacks, 9:30 a.m., SD-226

House

No committee meetings are scheduled.

(Continued from page D1286)

- (4) H.R. 1204, to amend the National Wildlife Refuge System Administration Act of 1966 to establish requirements for the award of concessions in the National Wildlife Refuge System, to provide for maintenance and repair of properties located in the System by concessionaires authorized to use such properties;
- (5) H.R. 1651, Sierra National Forest Land Exchange Act of 2003;
- (6) H.R. 2907, Northern Arizona National Forest Land Exchange Act of 2003;
- (7) H.R. 280, National Aviation Heritage Area Act;
- (8) S. 254, Kaloko-Honokohau National Historical Park Addition Act of 2003;
- (9) H.R. 1189, to increase the waiver requirement for certain local matching requirements for grants provided to American Samoa, Guam, the Virgin Islands, or the Commonwealth of the Northern Mariana Islands;
- (10) H. Con. Res. 313, to urge the President, on behalf of the United States, to present the Presidential Medal of Freedom to His Holiness, Pope John Paul II, in recognition of his significant, enduring, and historic contributions to the causes of freedom, human dignity, and peace and to commemorate the Silver Jubilee of His Holiness' inauguration of his ministry as Bishop of Rome and Supreme Pastor of the Catholic Church;
- (11) H.R. 2130, New Bridge Landing Post Office Redesignation Act;
- (12) S. 1718, Senator James B. Pearson Post Office Designation Act;
- (13) S. 867, Ronald Reagan Post Office Building Designation Act;
- (14) H.Con.Res. 69, expressing the sense of Congress that Althea Gibson should be recognized for her ground breaking achievements in athletics and her commitment to ending racial discrimination and prejudice within the world of sports;

- (15) H. Con. Res. 320, expressing the sense of the Congress regarding the importance of motorsports;
 - (16) H. Con. Res. 288, Honoring Seeds of Peace;
- (17) H.R. 3287, to award congressional gold medals posthumously on behalf of Reverend Joseph A. DeLaine, Harry and Eliza Briggs, and Levi Pearson;
- (18) H. Res. 427, expressing the sense of the House of Representatives regarding the courageous leadership of the Unified Buddhist Church of Vietnam and the urgent need for religious freedom and related human rights in the Socialist Republic of Vietnam;
- (19) H. Res. 423, recognizing the 5th anniversary of the signing of the International Religious Freedom Act of 1998 and urging a renewed commitment to eliminating violations of the internationally recognized right to freedom of religion and protecting fundamental human rights;
- (20) H. Res. 393, commending Afghan women for their participation in Afghan government and civil society, encouraging the inclusion of Afghan women in the political and economic life of Afghanistan, and advocating the protection of Afghan women's human rights in the Afghanistan Constitution;
- (21) H. Con. Res. 83, honoring the victims of the Cambodian genocide that took place from April 1975 to January 1979;
- (22) H.R. 1813, Torture Victims Relief Reauthorization Act of 2003;
- (23) H.R. 3140, Fairness to Contact Lens Consumers Act;
- (24) H.R. 2218, Federal Food, Drug, and Cosmetic Act Amendment;
- (25) S. 286, Birth Defects and Developmental Disabilities Prevention Act of 2003;
- (26) S. Con. Res. 48, supporting the goals and ideals of "National Epilepsy Awareness Month" and urging support for epilepsy research and service programs; and
- (27) S. 650, Pediatric Research Equity Act of 2003.

Next Meeting of the SENATE 9:30 a.m., Tuesday, November 18

Senate Chamber

Program for Tuesday: Senate will resume consideration of the nominations of Thomas C. Dorr to be Under Secretary of Agriculture for Rural Development, and to be a Member of the Board of Directors of the Commodity Credit Corporation, with votes on the respective motions to invoke cloture to occur beginning at 10:30 a.m; following which, Senate will continue consideration of H.R. 2861, VA-HUD Appropriations Act.

(Senate will recess from 12:30 p.m. until 2:15 p.m. for their respective party conferences.)

Next Meeting of the HOUSE OF REPRESENTATIVES 10 a.m., Tuesday, November 18

House Chamber

Program for Tuesday: Consideration of the conference report on H.R. 2754, Energy and Water Development Appropriations Act for Fiscal Year 2004 (Subject to a Rule).

Consideration of Suspensions:

- (1) H. Res. 411, expressing the sense of the House that John Wooden should be honored for his contributions to sports and education;
- (2) H. Res. 391, congratulating the University of Illinois Fighting Illini men's tennis team;
 - (3) H.R. 1006, Captive Wildlife Safety Act;

(Continued on page D1285)

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